

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
Post Office Box 082
Trenton, New Jersey 08625-0082
(609) 292-1892

STATE OF NEW JERSEY
STATE ETHICS COMMISSION
COMMISSION CASE NO. 038-15

IN THE MATTER OF
HERMAN J. SAATKAMP, JR.,
FORMER PRESIDENT,
STOCKTON UNIVERSITY

Administrative Action
CONSENT ORDER

WHEREAS, the State Ethics Commission ("Commission") is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* ("Conflicts Law"), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code, and any agency code of ethics by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission conducted an investigation of all the matters and issues raised by the complaint; and

WHEREAS, as a result of the investigation, the Commission and Herman J. Saatkamp, Jr., ("Saatkamp") desire to enter into a final and complete resolution of all of the matters and issues raised thereby;

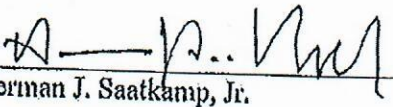
IT IS THEREFORE agreed by the parties as follows:

1. Saatkamp was hired as the President of Stockton University in June of 2003 and retired in December of 2015. At all times relevant to this matter, Saatkamp was a State employee subject to the New Jersey Conflicts Law, *N.J.S.A. 52:13D-12 et seq.*
2. In or around 2010, Saatkamp was involved in Stockton's effort to negotiate and enter into a collaborative agreement with the Noyes Museum of Art ("Noyes Museum") in which Stockton would provide the museum with \$500,000 for capital improvements and an annual rent of \$100,000 per year (for ten years) to support the museum's operations. In exchange, Stockton would have use of the museum property to increase educational programming, art exhibits, and for social and fundraising purposes.
3. The collaborative agreement between Stockton and the Noyes Museum also provided that two individuals "affiliated with Stockton" would serve on the Noyes Museum Board of Directors for the duration of the sublease. The agreement specifically designated Saatkamp's wife, Dorothy Saatkamp, as one of the two individuals. Dorothy Saatkamp was a member of the Board of Directors for the Noyes Museum from at least 2007 until approximately 2015.
4. The Stockton Vice President of Administration and Finance oversaw the coordination of the collaborative agreement being negotiated between Stockton and the Noyes Museum, but Saatkamp was kept apprised of the negotiations.
5. The Noyes Museum Board of Directors, including Dorothy Saatkamp, and the Noyes Museum Foundation Board of Directors voted to approve the collaborative agreement in a January 11, 2010 meeting. The Noyes Museum Board of Directors approved the agreement unanimously. Saatkamp was an ex officio non-voting member of the Stockton Board of Trustees. The collaborative agreement was then entered into on February 4, 2010 and signed by Saatkamp on behalf of Stockton.

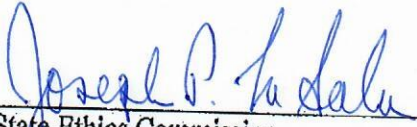
6. It is the Commission's position that Saatkamp violated *N.J.A.C. 19:61-7.4*, the recusal rule, and sections 23(e)(3) and 23(e)(7) of the Conflicts of Interest Law, because he was involved with the collaborative agreement between Stockton and the Noyes Museum while his wife served on the Noyes Museum Board of Directors. Saatkamp was kept apprised of ongoing negotiations and he signed the collaborative agreement. His wife's position on the Noyes Museum Board created an incompatible personal interest that required Saatkamp's recusal from any official dealings with the Noyes Museum, including negotiations and discussions concerning the collaborative agreement.

7. It is Saatkamp's position that, at the time he was involved in the matter, he did not believe his involvement with the collaborative agreement was improper. In hindsight, however, Saatkamp recognizes that his involvement in the Noyes Museum collaborative agreement on behalf of Stockton University, while his wife served on the Noyes Museum Board, could have created the reasonable impression that he was engaged in conduct violative of the public trust prohibited by section 23(e)(7) of the Conflicts of Interest Law, and that he should have recused from any involvement in the matter pursuant to *N.J.A.C. 19:61-7.4*.


8. In consideration of the above, Saatkamp agrees to pay a civil penalty in the amount of \$3,000.00.


Herman J. Saatkamp, Jr.

Dated: Nov. 16, 2017


State Ethics Commission
By: Joseph P. LaSala, Chair

Dated: 12/5/17


State Ethics Commission
By: Mark T. Holmes, Acting Executive Director

Dated: 12/6/17